

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 25, 1979  
9:00 A.M.

Council Chambers  
301 West Second Street

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The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor  
Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino

Absent: None

Mayor McClellan opened the Meeting of the Council, scheduled for 9:00 A.M., by entering the Council Chamber singing, "The Eyes of Texas Are Upon You." Because of the defeat of the Texas Longhorns by the Arkansas Razorbacks on the football field the previous Saturday, Mayor McClellan lost her wager with the Mayor of Little Rock that Texas would win or she would wear the hat of the razorback at the Council Meeting. Her true orange and white spirit, however, was reflected in her orange and white shirt which told the world, from the front, that in Austin the Longhorns are still Number One. The back of her shirt told the real truth....her blood runs orange and white.

Mayor McClellan stated: "I am a woman of my word, number one. And number two, I want the record to reflect and to have it spread upon the Minutes that I am wearing this hat with despair, distaste, and utter disgust and furthermore, I want the record to reflect my true sentiments that are on the front and back of my shirt, and also, I want the City Clerk to stand up and model for you because she has on the hat that Mayor Webb Hubbell in Little Rock is going to wear next year. It is a far more appropriate attire for us than the obscene object that I have on my head. Also, my commitment was to wear the hat "to Council Meeting." I checked very carefully with Cyndy, my assistant, to make sure that was her interpretation of our commitment. So I have worn this hat to Council Meeting and I certainly do not intend to wear it through Council Meeting."

## YOUTH FOCUS WEEK

Mayor McClellan read a proclamation designating the week of November 11, through November 17, 1979 as Youth Focus Week. Ms. Winnie Gage, Chairperson, International Year of the Child activities, introduced members of the Student Advisory Board for "A Capital Celebration/Our Next Generation," who presented gifts to the Mayor and Councilmembers. GEORGIA HETZEL presented "Energy" to the Mayor. AVRIL HUNTER presented "Inventiveness" to Councilmember Himmelblau. KENNY ATTAL presented the "Future" to Councilmember Cooke. HARRY POMMERLEAU gave "Curiosity" to Councilmember Trevino. Councilmember Goodman received "Courage" from VICKIE GARZA. Councilmember Mullen received "Imagination" from ANN ORTON, and JOHN GAGE presented Councilmember Snell with "Enthusiasm". Georgia Hetzel was spokesperson for the group, thanked the Mayor and Council for the proclamation, and invited them all to attend A Capital Celebration/Our Next Generation which will be celebrated with a parade, four symposiums, an Austin Youth Film Festival, and a Kid's Day extravaganza at the Austin Coliseum and Auditorium Shores.

## UNICEF DAY

Mayor McClellan read a proclamation, designating October 31, 1979, as UNICEF DAY. Ms. Margret Hoffman was in the Council Chamber to receive the proclamation and express her thanks.

## TEXAS NURSE WEEK

SANDRA WILKERSON thanked Mayor and Council for the proclamation designating the week of October 21-27, 1979 as Texas Nurse Week, which was read by Mayor Pro Tem Himmelblau.

## CONGRESS AVENUE BAPTIST CHURCH DAY

REV. ROBERT L. SHEFFIELD thanked the Mayor and Council for the proclamation which proclaims Sunday October 28, 1979 as Congress Avenue Baptist Church Day to recognize the 90 years of the church in the Austin community.

## BOARDS AND COMMISSIONS

Mayor Pro Tem Himmelblau moved that the Council reappoint Bernard Snyder to the Planning Commission. His term will expire June 1, 1981. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino  
Noes: None

Mayor Pro Tem Himmelblau moved that the Council confirm Travis County's appointment of Jerry D. Henderson to the Board of Trustees of the Mental Health Retardation Center. His term will expire February, 1981. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,  
Councilmembers Mullen, Snell, Trevino, Mayor McClellan  
Noes: None

Mayor McClellan announced the following Board and Commission appointments will be made November 1, 1979:

Joint Airport Zoning Board - 1  
Employee's Retirement System - 1  
On-Going of Goals Assembly Committee - 1  
Manpower Advisory Planning Council - 11  
MH/MR - 2  
Construction Advisory Committee - 3  
Urban Transportation Commission - 1  
Electric Utility Commission - 3  
Electric Utility Commission - 3  
Hospital Board - 3  
Community Development Commission - 1

#### EMINENT DOMAIN PROCEEDINGS

Councilmember Mullen moved that the Council adopt a resolution to authorize eminent domain proceedings to acquire the following tract of land for Community Development District #12 Project (Culp Street Improvements):

1,926 square feet of land out of the Santiago Del Valle Grant.  
(John C. Medina, City employee, et ux, owners)

The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers  
Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

#### HORNSBY BEND WASTEWATER TREATMENT PLANT

Councilmember Mullen moved that the Council adopt a resolution to acquire 50.0 acres for the Hornsby Bend Wastewater Treatment Plant out of that certain tract of land out of the Reuben Hornsby Grant (Will Platt, Jr.) The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers  
Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

## CONTRACTS APPROVED

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

DODDS ELECTRIC, INC.  
2000 S. San Antonio Highway  
P. O. Box 511  
Brady, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Construction Contract for site  
work, foundations, and underground  
conduit system at Holman Substation -  
\$165,470.00. CIP No. 78/16-01

The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers  
Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

B & B LAND CLEARING COMPANY, INC.  
1212 Old Highway 71  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Construction of electric ductline  
and streetlight foundations for  
Northridge Park, Section One -  
\$24,782.00 C.I.P. No. 80/15-01

The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers  
Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

## CETA YOUTH EMPLOYMENT AND TRAINING PROGRAM

Councilmember Mullen moved that the Council adopt a resolution to enter into a contract with Region XIII, Education Service Center in the amount of \$137,613 to provide transitional service to 180 eligible youth for the period October 1, 1979 to September 30, 1980 under the CETA Title IV Youth Employment and Training Program. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers  
Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

## CAPITAL AREA MANPOWER CONSORTIUM

Councilmember Mullen moved that the Council adopt a resolution to designate Williamson-Burnet Counties Opportunities, Inc., as the rural operator for the Capital Area Manpower Consortium and authorization to negotiate the following contracts for FY '80:

TITLE II-B,C	\$760,648.00
TITLE II-D (PSE)	553,405.00
TITLE IV YETP	177,327.00
TITLE IV YCCIP	28,980.00
TITLE IV SYEP	-0-
TITLE VI PSE	270,347.00
	<u>\$1,790,707.00</u>

The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

## ITEMS PULLED FROM AGENDA

Councilmember Mullen moved that the Council pull the following items from the agenda:

Consideration of authorization to submit a grant application in the amount of \$100,000 to the Department of Labor for a Displaced Homemaker's Program.

Consideration of authorizing extension of contract with Houston Lighting and Power Company providing for sale of electric generating capacity for calendar years 1982-1985.

Consideration of authorizing Holiday Inn to use a portion of the Sand Beach Reserve Park land for parking purposes will be brought back November 1, 1979.

The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

Councilmember Snell moved that the Council pull from the agenda the resolution to consider setting a public hearing on an appeal of the Planning Commission's decision to deny the Special Permit Use C14p-79-035, at 5225 North Lamar from Mr. Eugene Wukasch. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino  
Noes: None

## STIP TO MOTOROLA

Councilmember Mullen moved that the Council adopt a resolution to fund Marc Gold & Associates in the amount of \$150,000 to provide CETA Skills Training Improvement Program (STIP) services to Motorola, Inc. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

## PUBLIC HEARING SET

Councilmember Mullen moved that the Council adopt a resolution to set a public hearing for November 15, 1979, at 7:30 P.M. to consider annexation of the following:

8.57 acres of land out of the Thomas Anderson Survey,  
portion of Westward Ho Subdivision. (Requested by owner.)

The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

## TEMPORARY STREET CLOSING

Councilmember Mullen moved that the Council adopt a resolution to temporarily close 25th Street from Pearl to San Gabriel from 3:00 P.M. to 6:00 P.M., November 2, 1979. (Requested by James A. White, representing the University of Texas Posse). The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

## ITEM FROM COUNCIL PULLED FROM AGENDA

Councilmember Mullen moved that the Council pull from the Agenda an Item from Council submitted by Councilmember Snell on Rotation of Mayor Pro Tem; request to pull was made by Councilmember Snell. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

#### TRANSIT FARE INCREASES

Mayor McClellan brought up the following ordinance for its second reading:

AN ORDINANCE REPEALING ORDINANCE NO. 781214-R; ESTABLISHING THE RATES TO BE CHARGED FOR USING THE AUSTIN TRANSIT REGULAR ROUTE SYSTEM; PROVIDING FOR NO CHARGE FOR ZONE CHANGES; PROVIDING FOR TRANSFERS; ESTABLISHING CHARTER SERVICE FEES; ESTABLISHING CONTRACT SERVICES FEES; AND PROVIDING AN EFFECTIVE DATE.

The ordinance was read the second time, and Mayor Pro Tem Himmelblau moved that it be passed to its third reading. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmember Mullen, Mayor McClellan, Councilmember Cooke  
Noes: Councilmembers Snell, Trevino, Goodman

The Mayor announced that the ordinance had been passed through its second reading only.

#### FIELD NOTE CORRECTIONS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 790809-S, ENACTED BY THE CITY COUNCIL ON AUGUST 9, 1979, BY CORRECTING THE LEGAL DESCRIPTION OF TRACT 6A OF THE PROPERTY ZONED BY SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C14-78-095)

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmembers Cooke, Goodman  
Noes: None

The Mayor announced that the ordinance had been finally passed.

#### ZONING ORDINANCE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 9-16, BLOCK 22, THE HIGHLANDS, TRACT A, GLYNN ADDITION, LOCALLY KNOWN AS 5209-5213 DUVAL STREET AND 501-503 EAST 53RD STREET, FROM "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Edwin G. Hudson, C14-79-171)

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,  
Trevino, Mayor McClellan, Councilmembers Cooke, Goodman  
Noes: None

The Mayor announced that the ordinance had been finally passed.

#### CONTRACT WITH ST. EDWARD'S UNIVERSITY

Council had before it for consideration a contract with St. Edward's University to provide high school equivalency training to 300 eligible participants. Mayor Pro Tem Himmelblau said she is concerned with the high cost per student. Mr. Buck Apelt, Human Services Department, told her the total amount of \$365,988 includes a stipend for students of \$900 per student for 300 hours of work, for a total of \$274,500.00. Mrs. Himmelblau asked if this is customary. Mr. Apelt stated this has been done since the program began. Mayor Pro Tem Himmelblau said she would approve, but wanted a report on how many students have finished the program with the stipend as an incentive.

Mayor Pro Tem Himmelblau moved that the Council adopt a resolution to enter into a contract with St. Edward's University in the amount of \$365,988 to provide high school equivalency (GED) training to 300 eligible participants, for the period of October 1, 1979, to September 30, 1980, under Title II-B of the Comprehensive Employment and Training Act (CETA), as re-authorized in 1978. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmember Goodman, Mayor Pro Tem Himmelblau  
Noes: None  
Not in Council Chamber when roll was called: Councilmember Cooke



## 1979-80 OPERATING BUDGET AMENDED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1979-1980 BY ACCEPTING AND APPROPRIATING \$84,700 FROM THE DEPARTMENT OF ENERGY FOR THE PURPOSE OF FUNDING THE DEVELOPMENT OF A COMMON HEARINGS MANUAL AND CONSUMER EDUCATION PROGRAM FOR AUSTIN, GARLAND AND LUBBOCK ELECTRIC UTILITY SYSTEMS TO BE COORDINATED BY THE TEXAS MUNICIPAL LEAGUE TO COMPLY WITH THE PUBLIC UTILITY REGULATORY POLICY ACT; SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers Cooke, Goodman, Mayor McClellan, Councilmember Mullen

Noes: None

The Mayor announced that the ordinance had been finally passed.

Before the vote took place, Mayor Pro Tem Himmelblau asked, "I was wondering why we are interceding for some other cities." Mr. R. L. Hancock, Director of Electric Utility, stated, "We are administering a program that would be common to all municipally owned utilities in the state. The PURPA Act requires that regulatory bodies conduct certain evidentiary hearings within some certain time span. In the case of investor, in case of PUC regulated utilities, that will be conducted by the PUC. In the case of self-regulated utilities, like municipal systems similar to Austin, each of those utilities have an obligation to conduct those hearings themselves. This is simply an effort to get those municipal systems who are interested into one program so that we really don't duplicate efforts. Austin is functioning as the administrator of the grant." He said we get compensated for the administrative overhead because it is a part of the charge in the grant.

## ITEM PULLED WHICH HAD ALREADY BEEN PASSED

Consideration of amending the 1979-80 Operating Budget by accepting and appropriating a grant for \$64,365 from the Texas Criminal Justice Division for implementation of a grant project entitled "Police Department Delinquency Prevention Officer/1" was pulled from the Agenda because it was passed September 20, 1979.

## ZONING ROLLBACK INITIATED

Councilmember Mullen moved that the Council authorize the Planning Department to initiate a zoning rollback from "B" Residence, 1st Height and Area, to "A" Residence, 1st Height and Area, in the block bounded by 17th, Martin Luther King Boulevard, West Avenue and Pearl Street. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell  
Noes: None

#### NEW BUILDING CONSTRUCTION ORDINANCE POSTPONED

Mayor Pro Tem Himmelblau moved that the Council bring back consideration of adopting the Energy Conservation in New Building Construction Ordinance in three to six months. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino  
Noes: None

Councilmember Goodman agreed with Mrs. Himmelblau who suggested it be brought back in 3-6 months to see if it is vital enough to amend the operating budget. He said there are some new national standards which will be issues in the next few months which will almost certainly impact the ordinance.

#### HOME OCCUPATION ORDINANCE

Council had received a copy of the 15th draft of the Home Occupation Ordinance with a clarification in Section B.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 45 (ZONING ORDINANCE) OF THE AUSTIN CITY CODE; PROVIDING FOR HOME OCCUPATIONS IN RESIDENTIAL USE DISTRICTS; PROVIDING REGULATIONS AND CONDITIONS FOR THE PRACTICE OF HOME OCCUPATIONS; PROVIDING THAT CERTAIN ENUMERATED OCCUPATIONS SHALL NOT BE PERMITTED AS HOME OCCUPATIONS IN RESIDENTIAL USE DISTRICTS; PROVIDING THAT DAY CARE CENTERS, BOARDING HOUSES AND BEAUTY OR BARBERSHOPS SHALL NOT BE PERMITTED AS AN ACCESSORY USE IN AREAS ZONED "A" RESIDENTIAL; PROVIDING A REQUIREMENT OF A SPECIAL PERMIT FOR THE LOCATION OF DAY CARE CENTERS, BOARDING HOUSES AND BEAUTY OR BARBERSHOPS IN AREAS ZONED "A" RESIDENTIAL; PROVIDING THAT OFFICE USES SHALL NO LONGER BE ALLOWED AS AN ACCESSORY USE IN "B" RESIDENCE DISTRICTS; PROVIDING FOR SEVERABILITY; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS AND PROVIDING AN EFFECTIVE DATE.

Councilmember Cooke moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino, Mayor McClellan  
Noes: None

The Mayor announced that the ordinance had been finally passed.

## ZONING HEARINGS

Mayor McClellan announced Council would hear zoning cases scheduled for 10:00 A.M. Pursuant to published notice thereof, the following zoning cases were publicly heard:

SUE B. McBEE  
By Don Goldston  
C14-79-170

1108-1202 Treadwell  
Street

From "A" Residence  
1st Height and Area  
To "C" Commercial  
1st Height and Area  
RECOMMENDED by the Planning  
Commission

Councilmember Cooke moved that the Council grant "C" Commercial, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers  
Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

The Mayor announced that the change had been granted to "C" Commercial, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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K. R. MEYER, JR.  
By Edmund  
Fleming, Jr.  
C14-79-181

4010 Medical Parkway

From "B" Residence  
1st Height and Area  
To "O" Office  
1st Height and Area  
RECOMMENDED (as amended) by  
the Planning Commission

Councilmember Cooke moved that the Council grant "O" Office, 1st Height and Area District, as amended, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers  
Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, as amended, and the City Attorney was instructed to draw the necessary ordinance to cover.

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CITY OF AUSTIN  
PLANNING DEPARTMENT  
C14-79-184

1608-1610 Nickerson  
Avenue also bounded  
by Milton

From "LR" Local Retail  
1st Height and Area  
To "A" Residence  
1st Height and Area  
RECOMMENDED by the Planning  
Commission

Councilmember Cooke moved that the Council grant "A" Residence, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers  
Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

The Mayor announced that the change had been granted to "A" Residence, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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LOCEDO INC.  
By Douglas  
Stringfellow  
C14-79-187

8600 Parliament Place,  
also bounded by  
Spicewood Springs Road

From "GR" General Retail  
1st Height and Area  
To "BB" Residence  
1st Height and Area  
RECOMMENDED by the Planning  
Commission

Councilmember Cooke moved that the Council grant "BB" Residence, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers  
Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

The Mayor announced that the change had been granted to "BB" Residence, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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CITY OF AUSTIN  
PLANNING DEPARTMENT  
C14-79-190

3400-3410 Spanish Oak  
Drive, 4500-4505, 4507,  
4509 Spanish Oak  
Terrace; 4500-4516,  
4518 Spanish Oak Trail

From "A" Residence  
1st Height and Area  
To "AA" Residence  
1st Height and Area  
RECOMMENDED by the Planning  
Commission

Councilmember Cooke moved that the Council grant "AA" Residence, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded, by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

The Mayor announced that the change had been granted to "AA" Residence, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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ST. DAVID'S  
HOSPITAL  
By Irwin Salmanson  
C14-79-197

901-913 East 32nd Street  
3007-3021 Red River  
Street

From "B" Residence  
1st Height and Area  
To "O" Office  
2nd Height and Area  
RECOMMENDED by the Planning  
Commission

Councilmember Cooke moved that the Council grant "O" Office, 2nd Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

The Mayor announced that the change had been granted to "O" Office, 2nd Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 51,075 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 901-913 EAST 32ND STREET AND 3007-3021 RED RIVER STREET, FROM "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS AND DECLARING AN EMERGENCY.

Councilmember Cooke moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

The Mayor announced that the ordinance had been finally passed on an emergency basis.

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KOGER PROPERTIES,  
INC.  
By Thomas Field  
C14-79-198

7718 Wood Hollow Drive,  
also bounded by  
Spicewood Springs Road

From "O" Office  
1st Height and Area  
To "LR" Local Retail  
1st Height and Area  
RECOMMENDED by the Planning  
Commission

Councilmember Cooke moved that the Council grant "LR" Local Retail, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers  
Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

The Mayor announced that the change had been granted to "LR" Local Retail, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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BUILDER'S DISPLAY  
OF AUSTIN  
By John O. Grady  
C14-79-213

7417-7423 North Lamar

From "C" Commercial  
1st Height and Area  
To "C-1" Commercial  
1st Height and Area  
RECOMMENDED by the Planning  
Commission

Councilmember Cooke moved that the Council grant "C-1" Commercial, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers  
Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

The Mayor announced that the change had been granted to "C-1" Commercial, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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MARK B. REINKING  
C14-79-165

1510 West 5th Street  
also bounded by  
Powell Street

From "B" Residence  
2nd Height and Area  
To "O" Office  
1st Height and Area  
RECOMMENDED (as amended) by  
the Planning Commission

Councilmember Cooke moved that the Council grant "O" Office, 1st Height and Area District, as recommended (as amended) by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, as amended, and the City Attorney was instructed to draw the necessary ordinance to cover.

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BELL AVENUE AREA STUDY, TRACTS 8 AND 10 By City of Austin Planning Department	Tract 8: 11905-12011 Bell Avenue, also bounded by U. S. 183 Tract 10: 11701 and rear of 11715-11903 Bell Avenue, also bounded by Jollyville	From Interim "AA" Residence 1st Height and Area To "O" Office 1st Height and Area and "A" Residence 1st Height and Area RECOMMENDED by the Planning Commission
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Councilmember Cooke moved that the Council grant "O" Office, 1st Height and Area District, and "A" Residence, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, and "A" Residence, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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N.B.C. ASSOCIATES By David Gray C14-79-196	10400 Research Boulevard	From "GR" General Retail 1st Height and Area To "GR" General Retail 2nd Height and Area RECOMMENDED (as amended) by the Planning Commission
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Councilmember Cooke moved that the Council grant "GR" General Retail, 2nd Height and Area District, as amended, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail, 2nd Height and Area District, as amended, and the City Attorney was instructed to draw the necessary ordinance to cover.

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FRANCIS HOSPITAL,  
INC.  
By Nutt, Wolters  
& Associates  
C14-79-209

11042-11104 Highway 183  
and 11019-11039 (Old  
Burnet Road) Highway 183

From "O" Office  
1st Height and Area  
To "GR" General Retail  
1st Height and Area  
RECOMMENDED (as amended) by  
the Planning Commission

Mayor Pro Tem Himmelblau asked why "GR" is necessary for nursing home usage. Mr. Lillie, Director of Planning, said this is for a shopping center and the two locations are for a restaurant within the shopping center.

Mr. Lillie stated, "This is just for two building sites rather than the whole tract." Mayor McClellan said the record will reflect that. Councilmember Cooke wanted it stated in the record, "This is not an indication for "GR" zoning. He's got "O" Office zoning on there and he can amend that to "LR" for some of those buildings. But I want it strongly understood and recorded in the record that this "GR" General Retail is only on these two structures because I think it has direct implication to the 183 policy this Council has set."

Councilmember Cooke moved that the Council grant "GR" General Retail, 1st Height and Area District, as amended, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers  
Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail, 1st Height and Area District, as amended, and the City Attorney was instructed to draw the necessary ordinance to cover.

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MODELLE BALLARD,  
ROBERT G. BALLARD,  
JOHN R. BALLARD, AND  
CHARLES W. BALLARD  
By John R. Ballard  
C14-79-049

13263 Research Boulevard  
13265 Research Boulevard

From Interim "AA" Residence  
1st Height and Area  
To "O" Office  
1st Height and Area  
RECOMMENDED (as amended) by  
the Planning Commission, noting  
that applicant has volunteered  
to comply with the U.S. 183  
performance standards and site  
plan review.

Councilmember Mullen moved that the Council grant "O" Office, 1st Height and Area District, as amended, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino,  
Mayor McClellan, Councilmembers Cooke, Goodman  
Noes: None



The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, as amended, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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THE AUSTIN NATIONAL      1909 Whitis Avenue  
BANK, TRUSTEE  
By Joseph Latting  
C14-79-162

From "B" Residence  
1st Height and Area  
To "GR" General Retail  
1st Height and Area

RECOMMENDED by the Planning Commission,  
and applicant to place a five foot strip  
of landscaping along Whitis, applicant  
to be governed by landscape ordinance,  
and to maintain that strip, also to  
leave the other areas as shown on the  
site plan.

Councilmember Mullen moved that the Council grant "GR" General Retail, 1st Height and Area District, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,  
Trevino, Mayor McClellan, Councilmembers Cooke, Goodman  
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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ABED GOUSHE              8132 North Lamar  
By Abraham Goushe      Boulevard  
C14-79-183

From Interim "A" Residence  
1st Height and Area  
To "C" Commercial  
1st Height and Area  
RECOMMENDED by the Planning  
Commission subject to review  
by Urban Transportation  
Department

Councilmember Mullen moved that the Council grant "C" Commercial, 1st Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,  
Trevino, Mayor McClellan, Councilmembers Cooke, Goodman  
Noes: None

The Mayor announced that the change had been granted to "C" Commercial, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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RICHARD G.  
HARDIN  
C14-79-185

904 West 23rd Street

From "B" Residence  
1st Height and Area  
To "O" Office  
1st Height and Area

RECOMMENDED by the Planning Commission  
to accept covenants offered by the appli-  
cant and that the staff of the Urban  
Transportation Department review the  
entrances and exists to approval by the  
City Council

Councilmember Mullen moved that the Council grant "O" Office, 1st Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,  
Trevino, Mayor McClellan, Councilmembers Cooke, Goodman

Noes: None

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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BALLARD FAMILY  
By Bern Ballard  
C14-79-189

Rear of 2810 South  
1st Street

From "A" Residence  
1st Height and Area  
To "BB" Residence  
1st Height and Area

RECOMMENDED (as amended) by the Plan-  
ning Commission and accept applicant's  
offer to allow the City to down zone  
front property from "B" to "BB" and  
"LR" to "O" and to come back with a  
special permit, including in the site  
plan buffering and a 25-foot setback on  
the back portion.

Councilmember Mullen moved that the Council grant "BB" Residence, 1st Height and Area District, as amended, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,  
Trevino, Mayor McClellan, Councilmembers Cooke, Goodman

Noes: None

The Mayor announced that the change had been granted to "BB" Residence, 1st Height and Area District, as amended, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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DAVID B. BARROW,  
JR.  
By Charles Stahl  
C14-79-206

7032 Wood Hollow Drive

From "GR" General Retail  
1st Height and Area  
To "C-1" Commercial  
1st Height and Area

RECOMMENDED by the Planning Commission  
for the building only and that the  
zoning would rollback to "GR" General  
Retail when the use is no longer  
there.

Councilmember Mullen moved that the Council grant the change to "C-1" Commercial, 1st Height and Area District, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,  
Trevino, Mayor McClellan, Councilmembers Cooke, Goodman  
Noes: None

The Mayor announced that the change had been granted to "C-1" Commercial, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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TERRY T. SAYTHER  
By Edwin Terry, Jr.  
C14-79-214

1606 Fort View Road  
4205-4209 Clawson  
Road

From Interim "A" Residence  
1st Height and Area  
To "GR" General Retail  
1st Height and Area

RECOMMENDED by the Planning Commission  
and that the Urban Transportation  
Department comment on the intersection  
at Fort View and Clawson Road.

Councilmember Mullen moved that the Council grant "GR" General Retail, 1st Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers mullen, Snell,  
Trevino, Mayor McClellan, Councilmembers Cooke, Goodman  
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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BUCKINGHAM RIDGE  
DEVELOPERS  
By Jerald  
Winetroub  
C14-79-180

6524-6528 South Congress

From "LR" Local Retail  
1st Height and Area  
To "GR" General Retail  
1st Height and Area  
NOT Recommended

RECOMMENDED by the Planning Commission,  
subject to the site plan as volunteered  
by the applicant and that the back 20  
feet on the western portion be rolled  
back to "A" Residence, 1st Height and  
Area.

Mayor Pro Tem Himmelblau moved that the Council grant "GR" General Retail, 1st Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers  
Cooke, Goodman, Mayor Pro Tem Himmelblau, Councilmember Mullen  
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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STANLEY J.  
WILLIAMS  
By Jeff Meehan  
C14-79-178

North Hills Drive

From Interim "A" Residence  
1st Height and Area  
To "B" Residence  
1st Height and Area  
RECOMMENDED by the Planning  
Commission

Mr. Lillie reviewed the application by use of slides.

WILLIAM T. CARLISLE appeared on behalf of the applicant. He said the problem arose when 7 years ago a tract, of which this was a part, was zoned "B" Residence. Subsequently when the property was zoned "B" by metes and bounds description and platted, the easterly boundary was lined up in a straighter fashion and left a strip of about 50 feet which was unzoned and is Interim "A" Residence. This problem came up when the applicant was obtaining a Special Permit for an apartment project on the property. The Special Permit was approved by the Planning Commission on September 25, 1979. The neighborhood group approved their Special Permit and they had no opposition to the zoning.

JIM LANDRUM, Chairman of the Zoning Committee, Northwest Civic Association, appeared before Council to state that 3,000 apartment units have been built in Northwest Hills in the past 24 months and he felt the saturation point has been reached. He said the proposal today calls for 128 units, which would mean about 250 cars getting in and out of a street which is sloping. He requested Council to deny the zoning request.

Councilmember Goodman asked Mr. Lillie, "What we're talking about today is less than 1/3 acre and the rest of the property Mr. Landrum is talking about has already been zoned?" Mr. Lillie said that is correct. Mr. Carlisle pointed out the purpose of re-zoning the strip is for parking in the area.

Councilmember Mullen moved that the Council grant "B" Residence, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Trevino, Snell, Mayor McClellan  
Noes: Councilmember Cooke

The Mayor announced that the change had been granted to "B" Residence, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
A 0.294 ACRE TRACT OF LAND, LOCALLY KNOWN AS 3450-3486 NORTH HILLS DRIVE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS AND DECLARING AN EMERGENCY. (Stanley J. Williams, C14-79-178)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Trevino, Snell, Mayor McClellan  
Noes: Councilmember Cooke

The Mayor announced that the ordinance had been finally passed on an emergency basis.

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CITY PLANNING  
COMMISSION  
By Planning  
Department  
C14-79-182

East 3rd Street  
Between IH 35 and  
Comal

From "B" Residence  
1st and 2nd Height and Area  
"LR" Local Retail  
1st and 2nd Height and Area  
"D" Industrial  
1st and 3rd Height and Area  
To "A" Residence, "B"  
Residence, "C" Commercial,  
"DL" Light Industrial and  
"D" Industrial  
1st Height and Area  
RECOMMENDED by the Planning  
Commission

Mr. Lillie reviewed the application by use of slides. He said a problem had arisen when Mrs. Martinez, whose house is in the area, was denied a home improvement loan because the rest of the lots on her street are zoned "D" Industrial.

Mrs. Martinez appeared before Council and showed them the denial of her loan request and a petition. She asked Council support for "A" zoning so she will be able to remodel her home. She asked members of the Council Chamber audience who support her to stand and several did.

The owner of the property at 1206 East 3rd Street, east of Ad-Lite asked if a buffer between "D" Industrial and the residential "A" could be accomplished. He said he does not want his property to become "A" Residence. He wants to sell it when the tenant of his rent house moves. Ad-Lite will buy it for parking.

MELVIN SHELTON, owner of Ad-Lite Signs, told Council if they change his property to "C" Commercial, he would be non-conforming and he would not be able to get a permit to re-do this building. He asked Council to keep zoning as it is.

There was a question as to whether "C" would be the proper zoning for Ad-Lite so they can expand and remodel. Council continued with other zoning while this was researched. Later, Council resumed discussion of this case. Mr. Lillie informed them that the sign company can be in "C" Commercial and expand and remodel.

Councilmember Trevino moved that the Council grant "A" Residence, "B" Residence, "C" Commercial, "DL" Light Industrial and "D" Industrial, 1st Height and Area District, as recommended by the Planning Commission, with the condition that the Lot next to Ad-Lite be zoned "C" Commercial. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,  
Trevino, Mayor McClellan, Councilmembers Cooke, Goodman  
Noes: None

The Mayor announced that the change had been granted to "A" Residence, "B" Residence, "C" Commercial, "DL" Light Industrial and "D" Industrial, all 1st Height and Area, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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MESA WOODS  
JOINT VENTURE  
By Ray Wilkerson  
C14-79-188

8127 Mesa Drive

From "LR" Local Retail  
1st Height and Area  
To "GR" General Retail  
1st Height and Area  
RECOMMENDED by the Planning  
Commission

Mr. Lillie reviewed the application with slides.

ROBBIE MAYFIELD, developer, appeared and said the restaurant will be open in two weeks and they need this zoning to allow sale of liquor in a restaurant.

MR. LANDRUM, Zoning Chairman, Northwest Hills Civic Association, said they are concerned about 18 year olds from the high school which can be served beer during their lunch hour. Discussion which ensued among Council surmised that the restaurant would not be the type the students would have time to go to during a lunch hour.

Mayor Pro Tem Himmelblau moved that the Council grant "GR" General Retail 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

AN 11,235 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 8127 MESA DRIVE, FROM "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS AND DECLARING AN EMERGENCY. (Mesa Woods Joint Venture, C14-79-188)

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

The Mayor announced that the ordinance had been finally passed on an emergency basis.

EDWARD L. ROBERTS  
C14-79-151

2917-2919 Martin Luther  
King, Jr., Boulevard  
1809-1815 Clifford

From "A" Residence  
1st Height and Area  
To "C" Commercial  
1st Height and Area

RECOMMENDED by the Planning Commission  
subject to the site plan as presented,  
and noting the landscaping as volun-  
teered by the applicant.

Mr. Lillie reviewed the application by use of slides. He reminded Council this has previously been before Council and the applicant requests approval to construct mini warehouses. Mayor Pro Tem Himmelblau thought the ingress and egress should be on Martin Luther King, Jr., Boulevard and not on Clifford. Councilmember Snell agreed. Mayor Pro Tem Himmelblau said, "I'd like to see them come forward with another site plan. The zoning was tied to the site plan and the plan is not acceptable as far as I'm concerned." She asked, "This is also tied to a roll back if this project is not approved?" Mr. Lillie said, "Yes."

Councilmember Snell moved that the Council grant "C" Commercial, 1st Height and Area District, as recommended by the Planning Commission, subject to new site plan coming back to Council and subject to rollback. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau, Councilmember Mullen  
Noes: None

The Mayor announced that the change had been granted to "C" Commercial, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

JOSEPH F. SYMPSON  
By John Meinrath  
C14-79-179

3907 Red River Street

From "A" Residence  
1st Height and Area  
To "B" Residence  
1st Height and Area

RECOMMENDED by the Planning Commission "B" Residence  
on the house and parking area, to accept the  
restriction for no advertising and no signs and  
"A" Residential use only, as volunteered by the  
applicant.



Mr. Lillie reviewed the application by use of slides. Mayor McClellan said she has received a letter from CAROLYN HEWITT opposing the proposed change and requests a postponement on the decision as she cannot attend the Council Meeting today.

JOHN MEINRATH, representing Joseph Sympson, appeared before Council to state the applicant does need "B" Residence in order to continue to have his insurance business in his home. He does not advertise as such on the premises. Mr. Meinrath said, "We are asking you to grant "B" zoning under the provisions of the zoning ordinance before it was amended by you today. If you had taken any action on the Home Occupation Ordinance two months ago that you took today, you would not qualify for the occupation use that we're seeking today, so we are asking you to approve the zoning we're requesting today and put on the agenda next week for final passage this zoning ordinance if you approve it today. We have agreed with all the conditions that were expressed at the Planning Commission to preserve the residential character of this property. We have offered to restrict zoning only to the actual area of the building and parking on the site to include provisions that residential use of the property will be consistent with "A" Residence zoning, so there will never be any apartment use made of the site." Ordinance to be brought back next week.

Councilmember Trevino moved that the Council grant "B" Residence, 1st Height and Area District, as recommended by the Planning Commission, on the house and parking area, subject to conditions. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers  
Cooke, Goodman, Mayor Pro Tem Himmelblau, Councilmember Snell  
Noes: None  
Abstain: Councilmember Mullen

The Mayor announced that the change had been granted to "B" Residence, 1st Height and Area District on the house and parking area, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

SID HURWITZ AND  
KEITH NORET  
C14-79-191

Rear of 3804-3806  
Manchaca Road, also  
bounded by Byron Drive  
and Keats Drive

From Interim "A" Residence  
1st Height and Area  
To "O" Office  
1st Height and Area  
RECOMMENDED by the Planning  
Commission subject to site  
plan approval by the Planning Commission and Urban Transportation Department to review site plan and make recommendations regarding Byron and Keats Drive.

Mr. Lillie reviewed the application with slides. MR. SID HURWITZ appeared, and said all traffic will enter and exit from Manchaca Road with no curb cuts on Keats and Byron Drive.

Councilmember Snell moved that the Council grant "O" Office, 1st Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor  
Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino  
Noes: None

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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BROWN BUILDER, INC. 6902 Thorncliff Drive,  
By Dianne DeBois also bounded by  
C14-79-202 Knollwood Drive

From Interim "A" Residence  
1st Height and Area  
To "BB" Residence  
1st Height and Area

RECOMMENDED by the Planning Commission  
subject to a special permit, the  
density to be no more than 7.5 units  
per acre as offered by the applicant.

Mr. Lillie reviewed the application with use of slides.

DIANNE DEBOIS showed a conceptual site plan and slides of the property. She said the units would be owner occupied condominiums and would mean less impervious cover than a duplex.

JOHN WATSON, who lives on the property next door to the site, said the neighborhood objects to the density for this corner, which was designed for residential living. He asked for 10 units rather than 12, 1 single story unit on top, with the site plan approved by Council. He felt there were too many cars for the hilltop if it is developed as Ms. DeBois suggested.

JIM LANDRUM, Chairman, Zoning Committee, Northwest Neighborhood Association, appeared to state they agree pretty much with the plan, but want fewer units.

WILLIAM BRANDT, member of Northwest Hills Civic Association, and a neighbor of the site in question, objected to so many apartments allowed in Northwest Hills and said he does not want a zoning change.

BILL CARSON, member of the designer firm of Hoferd and Carson, who designed the condominiums pointed out the way it was done in order to get away from driveways.

Councilmember Mullen summed up Council discussion by saying it looks like condominiums with individual ownership is preferable to apartments.

Motion

Councilmember Goodman moved that the Council grant "BB" Residence, 1st Height and Area District, as recommended by the Planning Commission, subject to conditions, and with site plan approved by Planning Commission and Council. The motion was seconded by Councilmember Trevino.

Friendly Amendment

Councilmember Cooke made a Friendly Amendment, seconded by Mayor McClellan, to allow only one structure on the hilltop.

Roll Call on Motion with Friendly Amendment

Ayes: Councilmembers Cooke, Goodman, Snell, Trevino, Mayor McClellan  
Noes: Councilmember Mullen\*  
Abstain: Mayor Pro Tem Himmelblau

\*Councilmember Mullen voted No, when it was determined that the structure on the hilltop could be two stories.

The Mayor announced that the change had been granted to "BB" Residence, 1st Height and Area District, subject to conditions as recommended by Planning Commission and as determined by Council, and the City Attorney was instructed to draw the necessary ordinance to cover.

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SHETTLES MEMORIAL      4006 Speedway  
UNITED METHODIST  
CHURCH  
By Bert B. Bowman  
C14-79-211

From "B" Residence  
2nd Height and Area  
To "O" Office  
1st Height and Area

RECOMMENDED by the Planning Commission (as amended) and that the restrictions as offered by applicant be included: Use restrictions will be tied to the zoning change requiring that the structure will not be altered from its original architectural style and that the structure may never be removed, and that the Extend-A-Care people will apply for "H" Historic zoning.

Mr. Lillie reviewed the application and said this was to be used for offices for Extend-A-Care.

MR. BERT BROWN, representing the church, said they own the house which they do not need and have looked for a suitable applicant. He asked deletion of the "H" Historic zoning because the Historical Society is not interested in the house because it is not old enough.

Mayor Pro Tem Himmelblau asked if the house is on the tax rolls. Mr. Bowman told her it has been since 1965.

MS. DOROTHY RICHTER, Hyde Park Neighborhood Association, said they concur with the zoning, although they are really against "O" Office, they do like the use the house will be put to. She agrees they should not tie "H" zoning to the house.

Councilmember Mullen moved that the Council grant "O" Office, 1st Height and Area District, as amended, as recommended by the Planning Commission, subject to conditions, except delete provision that Extend-A-Care apply for "H" Historic zoning, and delete Lot 23. The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, as amended, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

Mayor McClellan said she appreciates the way the church has worked with the neighborhood and approves this use for Extend-A-Care.

JAMES K. PRESNAL,  
TRUSTEE  
By Maury Hood  
C14-79-215

4501 Spicewood Springs  
Road

From Interim "A" Residence  
1st Height and Area  
To "O" Office  
1st Height and Area

RECOMMENDED by the Planning Commission  
subject to the site plan as volunteered  
by the applicant, including landscap-  
ing. In the event any use other than  
"O" Office should take place, the  
density to be limited to 12 units per  
acre.

Mr. Lillie reviewed the application.

MR. HOOD reviewed their application and said their site plan is for an office. Mayor Pro Tem Himmelblau said she is in favor of an office building and not more apartments.

Mayor Pro tem Himmelblau moved that the Council grant "O" Office, 1st Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen,  
Trevino, Mayor McClellan, Councilmembers Cooke, Goodman  
Noes: None  
Not in Council Chamber when roll was called: Councilmember Snell

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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GEORGE C. JOSEPH,      5004-4900 Duval Road  
SR.  
C14-79-192

From Interim "AA" Residence  
1st Height and Area  
To "BB" Residence  
1st Height and Area  
NOT Recommended  
RECOMMENDED by the Planning  
Commission permanent "AA"  
Residence, 1st Height and  
Area.

Mr. Lillie reviewed the application by use of slides. MR. GEORGE C. JOSEPH appeared and said his parents owned the land. Because of the high cost of land, the development of this area as single-family homes is prohibitive, and they want to erect 40 dwelling units of duplexes as opposed to 30 single-dwelling units. He said Duval already has 5,000 cars a day and the addition of 40 more would not create a problems. He said the drainage problem on the lot would be corrected by them.

ED STRINGER, 5006 Duval Road, adjacent to the property, said they are asking for permanent "AA" Residence. Their concern is heavy traffic and they do not like the idea of an absentee landlord.

LARRY DEUSSER, 11900 Mustang Chase, asked Council to grant "AA" Residence permanent zoning.

Mayor Pro Tem Himmelblau moved that the Council grant "AA" Residence, 1st Height and Area as recommended by the Planning Commission. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau  
Noes: None

The Mayor announced that the change had been granted to "AA" Residence, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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N.B.C. ASSOCIATES  
By David Gray  
C14-79-195

10400 Research Boulevard

From Interim "AA" Residence  
1st Height and Area  
To "GR" General Retail  
1st Height and Area

NOT Recommended (as amended)  
RECOMMENDED "O" Office, 1st Height and  
Area for the entire tract save and  
except for "GR" for that certain area  
on which the sign is to be located.

Mr. Lillie reviewed the application by use of slides.

DAVID GRAY, speaking for the applicant, said the applicant does agree with the recommendation from the Planning Commission.

Councilmember Cooke said he has no problem with the application. The sign will be 200 feet away from the structure.

Councilmember Cooke moved that the Council grant "O" Office, 1st Height and Area District for the entire tract save and except for "GR" General Retail, for that certain area on which the sign is to be located, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers  
Cooke, Goodman, Mayor Pro Tem Himmelblau, Councilmember Mullen  
Noes: None

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District for the entire tract save and except for "GR" General Retail, for that certain area on which the sign is to be located, and the City Attorney was instructed to draw the necessary ordinance to cover.

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HELENA HARDCASTLE  
C14-79-204

1501-1503 West 6th  
Street

From "B" Residence  
2nd Height and Area  
To "GR" General Retail  
2nd Height and Area  
NOT Recommended  
RECOMMENDED by the Planning  
Commission "O" Office, 1st  
Height and Area

Mr. Lillie reviewed the application by use of slides.

MS. HARDCASTLE appeared and said she wanted to be able to tear down the present structure and build an office building which will contain dignified shops for the area.

MS. COLLEEN BECK appeared and asked Council to consider Ms. Hardcastle's request favorably.

BRADLEY COLEMAN, who lives on Highland Avenue, across from the site said he does not think the zoning should be "GR" and create a commercial atmosphere.

MRS. TANIGUCHI, 1609 West 6th Street, said she is rehabilitating an old house and thinks "GR" General Retail would be incompatible with the present use.

Councilmember Trevino pointed out that "O" Office would give Ms. Hardcastle what she wants.

Mayor Pro Tem Himmelblau moved that the Council grant "O" Office, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers  
Cooke, Goodman, Mayor Pro Tem Himmelblau, Councilmembers  
Mullen, Snell

Noes: None

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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COLEEN BECK  
C14-79-200

1411 West 6th Street

From "B" Residence  
2nd Height and Area  
To "LR" Local Retail  
2nd Height and Area  
NOT Recommended  
RECOMMENDED "O" Office, 1st  
Height and Area by the Plan-  
ning Commission

Mr. Lillie reviewed the application with use of slides. MS. BECK appeared and said she has requested "LR" so that the services to the neighborhood may be provided. She has a client who is interested in having an art gallery on the site, but a sign cannot be put there without the "LR" for a sign.

MS. HELENA HARDCASTLE appeared and asked the Council to grant the request for a sign.

Councilmember Cooke moved that the Council grant "O" Office, 1st Height and Area District, as recommended by the Planning Commission, except for 4 square feet of "LR" Local Retail for sign and bring field notes. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro  
Tem Himmelblau, Councilmembers Mullen, Snell, Trevino

Noes: None

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, except for 4 square feet of "LR" Local Retail, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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## STUDENT RECOGNIZED

Mayor McClellan recognized DANNY BERMEA, President of the Student Council of Allen Junior High. He has been with Floyd Bermea all day, getting an idea of municipal government. Danny posed with the Councilmembers and Mayor for a picture.

WAYNE LAYMON  
By Pat Lawrence  
C14-79-208

13441 Ranch Road 620

From Interim "AA" Residence  
1st Height and Area  
To "LR" Local Retail  
1st Height and Area  
NOT Recommended

RECOMMENDED by the Planning Commission  
"O" Office, 1st Height and Area, subject  
to U.S. 183 conditions and that the site  
plan be presented for Planning Commission  
review prior to passage of the ordinance.

Mr. Lillie reviewed the application with use of slides. Mayor Pro Tem Himmelblau said she thought Highway 620 should be provided with interim sign controls on that portion within the City limits similar to the provisions made for Highway 360. Mr. Lillie said this can be done.

PAT LAWRENCE, representing Wayne Laymon, said they are requesting a small area of "LR" Local Retail, for a sign. There are a lot of trees in the area and a sign on the building will be obscured.

Councilmember Mullen moved that the Council grant "O" Office, 1st Height and Area District, subject to conditions, as recommended by the Planning Commission, with a 4 square foot area of "LR" Local Retail for a sign and field notes. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, with a 4 square foot area of "LR" Local Retail, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

C. B. CARPENTER &  
ODAS JUNG  
C14-79-212

2334 Rosewood Avenue  
also bounded by  
Walnut Avenue

From "LR" Local Retail  
1st Height and Area  
To "C-1" Commercial  
1st Height and Area  
NOT Recommended by the Planning Commission



Mr. Lillie reviewed the application by use of slides.

ADRIAN OVERSTREET, representing the owners, appeared to state they want to put a package liquor store in the shopping center. He said the center is in decline and they feel this store would revitalize it and perhaps draw other stores in to occupy the empty buildings.

MR. JOHN GRADY appeared, stated he would be the proprietor of the liquor store, and repeated Mr. Overstreet's statements about revitalizing the shopping center.

#### Motion

Councilmember Goodman moved that the Council uphold the Planning Commission and deny the request for zoning change. The motion was seconded by Mayor McClellan.

#### Substitute Motion

Councilmember Cooke moved that the Council grant "C-1" Commercial, 1st Height and Area District, as requested by the applicant. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Trevino, Cooke

Noes: Councilmembers Goodman, Snell, Mayor McClellan

The Mayor announced that the change had been granted to "C-1" Commercial, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

#### Zoning Cases Denied

BAYLOR PROPERTIES  
OF AUSTIN, INC.  
By Larry Niemann  
C14-79-120

1200-1202 Baylor Street

From "B" Residence  
1st Height and Area  
To "O" Office  
1st Height and Area  
RECOMMENDED by the Planning  
Commission, with the restriction  
for day time office uses  
only.

Mr. Lillie reviewed the application for zoning. Mayor Pro Tem Himmelblau asked if it is possible to have day use only and Mr. Lillie told her it would be difficult.

LARRY NIEMANN, representing the applicant, said they are requesting the "O" Office in order to make the antique shop, which is operating on the site, a non-conforming use. They feel having an antique shop there is better than having apartments and creating more of a traffic problem in the neighborhood.

CLAUDIA ROTH, 1209 Castle Hill, appeared before Council. She stated the neighborhood is primarily residential and to grant "O" zoning would, in her option, undermine the integrity of the neighborhood.

MRS. ADAIR, 1201 Castle Hill, said that the "O" Office zoning would allow more than an antique shop. She feels the narrow streets would not support heavy traffic.

Mayor Pro Tem Himmelblau commented on the present non-conforming use of the property as an antique shop and wondered why the applicant is asking for a zoning change now. Mr. Niemann replied the Building Inspection Department has been telling them to cease operating an antique shop in "B" Residence zoning. Mrs. Himmelblau stated she has no objection to the structure or the usage but does object to "O" Office. Mr. Niemann told her that if it is not "O" for the antique shop then it will become apartments. Mayor McClellan said this is one of the difficult decisions to make. Council has to weigh and balance the central city and end up with mixed uses. Councilmember Goodman asked how many apartments can be built on the tract, and Mr. Lillie told him eight.

Councilmember Goodman moved that the Council deny the zoning change. The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Councilmembers Snell, Cooke, Goodman, Mayor Pro Tem Himmelblau

Noes: Councilmembers Mullen, Trevino, Mayor McClellan

The Mayor announced that the zoning had been DENIED.

Councilmember Cooke stated: "A number of citizens have come before us today speaking in opposition to this and in looking at their property, a lot of them apparently are living in "B" zoned property. I would strongly encourage them to request a roll back to "A" Residence if they want to protect the integrity of their neighborhood." Mr. Lillie said his department will be happy to process the applications if the residents wish to make them. Mayor McClellan said there are a lot of things which could happen there which would be a lot more damaging than what was proposed.

LEE A. WOOD  
By Sidney Lanier  
C14-79-186

1510-1516 Parker Lane

From "BB" Residence  
1st Height and Area  
To "B" Residence  
1st Height and Area  
NOT Recommended by the Planning  
Commission

Councilmember Cooke moved that the Council uphold the recommendation of the Planning Commission, and deny the zoning change. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell

Noes: None

The Mayor announced that the zoning had been DENIED.

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Zoning Case Continued

ROBERT L. OGDEN  
By Leonard Frazer  
C14-79-173

1601 West 6th Street  
510-514 West Lynn

From "B" Residence  
2nd Height and Area  
To "GR" General Retail  
1st Height and Area  
NOT Recommended  
RECOMMENDED by the Planning  
Commission "O" Office, 1st  
Height and Area

Mr. Lillie reviewed the application.

LEONARD FRAZER appeared and said that due to a clerical error he had not been notified of this hearing. Mayor McClellan asked for clarification. Grace Monroe, City Clerk, stated the owner, Robert L. Ogden, was notified and that Leonard Frazer is speaking for him. Mr. Frazer said he had not had time to assemble all of his support material for the application.

Councilmember Snell moved that the Council continue the zoning case to November 1, 1979, at 9:45 A.M. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,  
Councilmembers Mullen, Snell, Trevino, Mayor McClellan  
Noes: None

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Zoning Case Withdrawn

EUGENE WUKASCH AND  
EARL WUKASCH  
By Eugene Wukasch  
C14-79-210

Rear of 5225 North Lamar  
5206-5208 Huisache

From "B" Residence  
1st Height and Area  
To "O" Office  
1st Height and Area  
NOT Recommended by the  
Planning Commission

Councilmember Cooke moved that the Council withdraw the zoning. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers Cooke,  
Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell  
Noes: None

The Mayor announced that the zoning case had been WITHDRAWN.

## RECESS

Council recessed its meeting at 12:45 P.M. and resumed its recessed meeting at 2:15 P.M.

## PUBLIC HEARING - NON-EMERGENCY TRANSFER SERVICE

Mayor McClellan opened the public hearing scheduled for 2:00 P.M. on Non-Emergency Transfer Service. Mr. Bill Bulloch, Director, Emergency Medical Service, stated the hearing is "to review the applications which have been provided by individuals interested in providing non-emergency transfer service within the city of Austin. On July 11 the Purchasing and Stores Department issued an RFP inviting interested individuals to submit an application of intent. By the closing date of August 2, 1979, three applications were received and subsequently reviewed by the staff which included persons from the Legal Department, Purchases and Stores Department and EMS Department. The applications have been reviewed by the staff, by EMS Quality Assurance Team, and by the Urban Transportation Commission as set forth by ordinance. The Quality Assurance Team has unanimously recommended that Gold Cross Ambulance from Wichita Falls be considered for award of the franchise application. The Urban Transportation Commission also recommended that Gold Cross be considered. The staff has gone through analysis as set forth by the ordinance and RFP which included a review of each applicant's general operation capabilities, accounting procedures, management approach to the operation, medical in-service requirements, labor resources and past performance. Based upon all the information we have had available, I am recommending for the Council's consideration awarding of the franchise to Gold Cross Ambulance. This is based on their past performance in Wichita Falls, Texas, which includes operating for 12 years under similar franchise requirements of the City of Wichita Falls and the County. They have best demonstrated their management ability, their knowledge of working with city/county governments and they have best illustrated they have the ability to provide this type of service, in our opinion, and the staff's opinion, to the citizens of Austin. The other two applications received are from Texas Ambulance Corporation, which is composed of Capital Ambulance locally and Holmes Ambulance from Port Arthur, Texas; and Lifesaver EMS - Bullion Enterprises, Travis County. This public hearing is being held to satisfy ordinance requirements. There is no action being requested today but will be brought back for final action."

Councilmember Goodman asked for the ethnic breakdown of the companies which have applied. Mr. Bulloch said he would give it to him during the hearing, in writing.

MR. LEVY, Quality Assurance Team, stated they voted 7-0 to endorse staff recommendation and were impressed with the amount of time and effort staff spent studying the applications.

GENE CHAPLAIN, representing Texas Ambulance Corporation, proposed to be composed of Capital Ambulance Corporation and Holmes Ambulance from Port Arthur. He said they have excellent ratings by the staff and reviewed the history of application which went back further than July. He said two years ago he requested a transfer franchise and requested that anybody, now, who is able to meet the qualifications set forth in the ordinance should be granted a permit to run a transfer franchise. He said this is the way other Texas cities operate. This, he said, would serve the public better. He thought the City should get out of the transfer service all together. This can be accomplished by not limiting a tie-in to just one transfer service, but by allowing all qualified to have a franchise.

BOB COBURN, Wichita Falls, Texas, applicant for Gold Cross Ambulance Company. He stated his interest in putting his service in Austin and has had 15 years' experience in the ambulance business. He recommended Council keep the transfer service as a one-ambulance company service because they will have better control. He cited Houston, with its several services, as a bad example of what can happen with too many companies franchised. Mr. Coburn said his company stays current with the ambulance business and told Council they can definitely take care of Austin and do it very well.

Councilmember Snell questioned Mr. Coburn concerning their affirmative action hiring practices. Mr. Coburn said enough qualified people had not applied in Wichita Falls, but if he has the franchise here he will make every effort to pursue affirmative action.

DON ZACHO, Bullion Enterprises, appeared before Council to state they have a back-up of good management. He said all their EMT's and LVV's must know medical Spanish and medical sign language. They are not seeking an exclusive enterprise and asked Council to open the franchise to all eligible applicants on a one-year trial basis.

Mr. Bill Bulloch informed Council that the ordinance does not prohibit the franchise to only one ambulance company. Staff has recommended only one because there is not enough volume to support more. Councilmember Snell asked how the recruiting of minorities can be encouraged. Mr. Bulloch said that as the EMS Department looks for people, then they can refer them to the franchise transfer company. He said they are presently working with Community College to organize more training classes. Councilmember Mullen asked for a report on the fee schedules and a comparison of Austin and Houston. He also requested more back-up material.

#### Motion

Councilmember Trevino moved that the Council close the public hearing on Non-Emergency Transfer Service and bring back the issue to Council for a vote on November 8, 1979. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,  
Trevino, Mayor McClellan, Councilmember Goodman

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

## PUBLIC HEARING - APPEAL ON MOVING WOODBURN HOUSE

Mayor McClellan opened the public hearing scheduled for 3:00 P.M. on an appeal of the decision of the Historic Landmark Commission on the relocation of the Woodburn House.

Mr. Lillie, Director of Planning, reviewed the history of the 12 public hearings and the appeals concerning the Woodburn House. He said the appeal today is from nine property owners on adjacent land. Betty Baker, Planning Department, showed slides of the house and proposed lot for relocation.

GARY PENN, 3913 Avenue G, stated the house should be restored as ordered.

WANDA PENN, 3913 Avenue G, agreed with her husband's statements.

HARRILEE HEILMAN appeared and asked if Council appoints the Landmark Commission and then influences their decision. Mayor McClellan said the Council lets them make their own decisions. Ms. Heilman questioned Councilmembers attendance at Board and Commission meetings, particularly that of Councilmember Goodman in August at the Landmark Commission meeting. Councilmember Goodman stated he was asked to attend to observe. Councilmember Cooke stated he has attended several Board and Commission meetings in order to observe. He said Councilmembers are entitled to speak if they want to.

DOROTHY RICHTER appeared with four letters from appellants who she wanted to speak for. She said the moving of the Woodburn House would weaken the ordinance.

AGNES EDWARDS appeared and showed slides of the neighborhood and examples of preservation.

JACK EVINS spoke against the moving of the Woodburn House.

AL OSTROOT advised the Council the house should be left where it is. (KEN MARBURG relinquished time to Mr. Ostroot). Mr. Ostroot continued by saying Hyde Park Church is dismantling and rearranging his neighborhood.

KEN MARBURG, co-owner of the Covert House, used the remainder of his time to ask Council to keep the neighborhood as it is.

CELESTE KROMAK, 4016 Duval, read an article from the newsletter of the Historic Landmark Commission, "The Medallion."

GOERGE BOUTWELL, who proposes to restore the Woodburn House after he moves it, cited his qualifications to do so. He said he has the finances, the house will be moved to 44th and Avenue D and showed slides of the lot and area to which the house will be moved.

Mayor McClellan commented the Council doesn't have the obligation to uphold the Landmark Commission but they must be realists about the structure.

Councilmember Snell said he hates to see the community and church disagree and cited the same thing will probably happen in the area of the church he attends. He does not feel the moving of the house would have any effect on the historical significance of it, and said he hated to see such bitterness about the issue.

Councilmember Cooke said that, for the record, he wants it known this has been an emotional issue. The neighborhood has implied that there has been strong influence by the church to pressure the Council into voting to move the Woodburn House. He stated that no one from Hyde Park Baptist Church has ever approached him regarding his decision. Councilmember Snell and Mayor McClellan said they have not been approached either. Councilmember Cooke said, however, he cannot support moving the house.

#### Motion

Councilmember Goodman moved that the Council close the public hearing and uphold the decision of the Landmark Commission to grant a Certificate of Appropriateness to move the Woodburn House to the property owned by George Boutwell at West 44th and Avenue D. The motion was seconded by Councilmember Mullen.

Councilmember Goodman said: "This Council has been definitely committed to the Hyde Park Neighborhood in many ways..first of all in zoning that structure historic, secondly in refusing to even consider that it be moved to Garfield and that it be retained in the neighborhood as proposed is, I think, the best possible solution at this time."

Councilmember Mullen stated: "I view with interest the statements by the neighborhood group, to try to put pressure on us by using reverse psychology. The pressure I've always felt has come from the neighborhood and I think you do a very effect job of putting pressure on us. That's what you are there for. You talk about a small vested interest group. That's what you are, and that's what you are supposed to do. You're supposed to come up here and put as much pressure on us as you can to get what you want. But all the testimony today has verified my belief that the historical zoning was mis-used to begin with. That structure, in fact, is not, that's my opinion. Of course that's a question of judgment. ...That was a mis-use of historical zoning and today we're reaping the end result of that. I'm glad that Goerge Boutwell is willing to come up with sticking his neck out to try to come up with a solution."

Mayor McClellan said, "We all arrived at votes for different reasons and with different reasoning. I disagree about it not being a historic structure. I believe it is a historic structure and I have all my folder full of criteria from when I went and looked at it with various people. I also echo what Lee said in that I have nothad a single call nor letter from anyone in the church community related to today's decision whatsoever. I also go back to what I stated earlier in what we are about...that it is necessary sometimes, and because it is a historic structure, to take a real position on it. I would certainly hope we would proceed very promptly, if the house is moved, to do the steps necessary to re-zone it historic."

Roll Call on Motion

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmember Goodman, Mayor Pro Tem Himmelblau  
Noes: Councilmember Cooke

## BARTON CREEK

Councilmember Mullen presented the following item to Council:

"A concern shared by each of us is the protection of one of our most valuable environmental resources--Barton Creek. Recent efforts to deal with this problem have included a 180-day moratorium on development along the creek and the promulgation of a Barton Creek Growth Management Plan. In spite of our good faith efforts, we have faced a major frustration of having control over a very limited portion of the creek. One possible alternative that could really put some teeth into our efforts to protect Barton Creek was first brought to light by Bill Collier of the Austin-American Statesman.

"The article referenced the Small Watershed Program administered by the Soil Conservation Service of the U.S. Department of Agriculture. The creation of a Small Watershed Plan to provide non-structural water quality controls for Barton Creek would be a joint effort of state and federal agencies as well as local governmental bodies with the authority necessary to co-sponsor the application. Participants could include the cities of Austin, Dripping Springs and Henley, Travis and Hays Counties, the USDA Soil Conservation Service and the State Soil and Water Conservation Board. There is also a role for private landowners as well as the endorsement of the project by organizations such as CAPCO.

"In conversations with George Marks, the State Administrative Officer of the SCS, and Jimmy Hill, who administers the Small Watershed Program for the entire state, I was most encouraged by their belief in the strong possibility of approval for this type of project. They also eagerly offered their support and assistance in any way possible. Mr. Hill has offered to come tour the area and help us define the possibilities and procedures. He has said he will work closely with the co-sponsors since this an innovative approach and will be a case of learning the ground rules as we go along.

"Several factors make this a very promising possibility. There has been a considerable change in the emphasis placed on the type of water control projects considered by the Office of Management and Budget in Washington, D. C. Emphasis in the past has been placed on projects featuring structural controls. While they have not previously favored consideration of non-structural projects, they have now indicated, albeit unofficially, a willingness to entertain consideration of this type of project. Since this would be a non-structural project, the time frame for completion would be greatly reduced from the normal length of time. I have been told that it is possible the federal government may pay up to 80% of the cost of this project. The responsibilities of the local government co-sponsors would include negotiation of land acquisition, building local support for the project and providing for the local share of the cost.



"Time is of the essence in our efforts to protect and preserve Barton Creek. I believe we should actively pursue any and all possible options to accomplish this goal. I would like for staff to come back with the appropriate item on next week's agenda for the Council to consider whatever authorization is necessary for us to begin coordinating efforts with other possible co-sponsors for this project application."

#### Motion

Councilmember Mullen moved that the Council have staff come back with an appropriate item next week for Council to consider whatever authorization is necessary to begin coordinating efforts with other possible co-sponsors for this project application. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau, Councilmember Mullen  
Noes: None

#### COST OF PARADES

Jim Miller, Assistant City Manager, gave a report on the cost of parades. He said the cost is \$15.00 per hour per policeman to handle the parades. Mayor Pro Tem Himmelblau said perhaps they need a policy for non-city parades. Mr. Miller said this will be looked at.

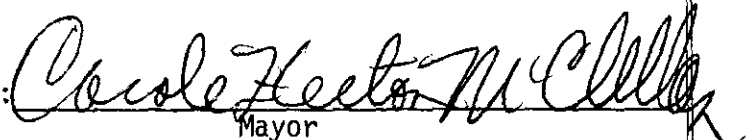
#### REPORT ON OFFICE OF FACILITIES, PLANNING AND CONSTRUCTION

Mr. Al Eldridge reported on the Office of Facilities, Planning and Construction.


#### ADJOURNMENT

Council adjourned its meeting at 5:45 P.M.

APPROVED:

  
Mayor

ATTEST:

  
City Clerk